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13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15 SAN FRANCISCO DIVISION

16
17 AARON BREEDEN, et al.,

Case No. C 04-05104 SC (mes)

18 Plaintiffs,

19 vs.

20 BENCHMARK LENDING GROUP,
INC., a Delaware Corporation and DOES
21 1 through 100, inclusive,

**STIPULATION AND [PROPOSED]
ORDER TO CONTINUE PRODUCTION
OF DOCUMENTS AND DEPOSITION
SCHEDULE**

22 Defendants.

23
24 IT IS HEREBY STIPULATED between the parties, through their attorneys of record, as
follows:

25 On August 25, 2005, the Court ordered that Defendant produce all non-privileged
26 documents relating to the exemption issues by September 8, 2005, and that depositions related to
27 this issue take place within three weeks of production of these documents.
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1 On Tuesday, September 6, 2005, Defendant Benchmark Lending Group decided to retain
 2 new counsel, Morgan Lewis and Bockius LLP ("MLB"), in connection with this action.

3 On Wednesday, September 7, 2005, Rebecca Eisen of MLB, informed Plaintiffs' attorney,
 4 Peter Simon, of this development and asked him to stipulate to an extension of time to comply
 5 with the discovery order in order to allow new counsel to become familiar with the case. Mr.
 6 Simon agreed.

7 The parties anticipate that Defendant will be able to produce documents within
 8 approximately 30 days, and complete the depositions within 60 days of the date of this Order.
 9 Accordingly, the parties agree that the deadline to produce documents be continued to October 8,
 10 2005, and that the depositions be completed by November 7, 2005.

11 Dated: September 8, 2005

MORGAN LEWIS & BOCKIUS LLP

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Barbara I. Antonucci
 Attorneys for Defendant
 BENCHMARK LENDING GROUP, INC.

Dated: September 8, 2005

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Peter J. Simon
 Attorneys for Plaintiffs
 AARON BREEDEN et al.

IT IS SO ORDERED:

Dated: September 9, 2005

